IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.
WRIT PETITION NO.8107 OF 2004

Shri Suresh Gundappa Dhulasawant & Ors. ...Petitioners
Vs.
Nandani Co-op.Industrial Estate Ltd & Ors. ...Respondents

Shri M.S.Lagu for the Petitioners.
Shri T.S.Ingale for the Respondent No.1.
Shri P.I.Khemani, A.G.P for the Respondent Nos.2 to 4 and 10.

CORAM : ABHAY S.OKA, J.

DATED : FEBRUARY 13, 2007.

P.C.:

1. Heard Advocates appearing for the parties. It is not in dispute that Writ Petition filed by the Petitioners for challenging order below Exhibit 41 has been rejected by this court. I have perused the order dated 12th October, 2004 passed by this court. It is not in dispute that the Application at Exhibit 5 for interim relief is still pending and the same is not yet decided. This Petition can be disposed of by directing that the said Application should be heard immediately as it has remained pending for last more than three years. Till the time Application is decided, ad-interim order passed by this court will have to be continued.

2. Hence, Petition is disposed of by passing following order:

(i) The learned trial Judge will decide the Application at Exhibit 5 as expeditiously as possible and in any event

within a period of six weeks from the date of production of an authenticated copy of this order.

(ii) The Application at Exhibit 5 will be decided on its own merits without being influenced by grant of ad-interim relief by this court.

(iii) Ad-interim relief granted on 12th October, 2004 passed by this court will continue to operate till the disposal of Application at Exhibit 5.

(iv) All contentions of the parties are kept open.

JUDGE